

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Petitioner has filed a motion under 28 U.S.C. § 2255. It is therefore ORDERED:

(1) The Clerk shall arrange for service by first class mail upon the United States Attorney of copies of the motion, of all supporting documents, and of this Order, and shall direct a copy of this Order to petitioner.

(2) Within **thirty (30) days** after such service, the United States shall file and serve an answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States District Courts. As part of such answer, the United States should state its position as to whether an evidentiary hearing is necessary. The United States shall file the answer with the Clerk of the Court and serve a copy of the answer upon petitioner.

ORDER FOR SERVICE AND  
RETURN, § 2255 MOTION  
PAGE - 1

(3) The answer will be treated in accordance with Local Rule CR 7. **Accordingly, on the face of the answer, the United States shall note it for consideration on the fourth Friday after it is filed, and the Clerk shall note the answer accordingly.** Petitioner may file and serve a response not later than the Monday immediately preceding the Friday appointed for consideration of the matter, and the United States may file and serve a reply brief not later than the Friday designated for consideration of the matter.

(4) The Clerk shall send a copy of this Order to the Hon. James L. Robart.

DATED this 23rd day of January, 2006.

  
\_\_\_\_\_  
MONICA J. BENTON  
United States Magistrate Judge

**ORDER FOR SERVICE AND  
RETURN, § 2255 MOTION  
PAGE - 2**